

Application Serial No. 10/560,220
Reply to final office action of December 24, 2008

PATENT
Docket: CU-4590

Remarks and Arguments

Reconsideration is respectfully requested.

Claims 1-12 are pending before this amendment. By the present amendment, claims 1, 3, 5, 9, and 11 are amended. No new matter has been added.

The applicants thank the examiner for conducting a telephonic interview on January 21, 2009 to discuss the faxed proposed amendments to claims 1 (and similarly claims 3, 5, 9, and 11) sent January 20, 2009. The examiner agreed that the proposed amendment to claim 1 (and similarly claims 3, 5, 9 and 11), which also included an additional suggestion by the examiner discussed below, overcomes the 35 U.S.C. §112, ¶2. As suggested by the examiner, the proposed claim amendment faxed to the examiner on January 20, 2009 were further amended to delete [[a first M/m input data]] and replaced with --an upper M/m input data-- and delete [[a second M/m input data]] and replaced with --a lower M/m input data--, to better conform with FIG. 4 of the present invention.

However, after the interview and upon further review of the present application, the applicants noted that the Lee reference has a U.S. Publication date of June 23, 2005 and a filing date of December 1, 2004, wherein the Lee filing date is **after** the international filing date (PCT) of June 1, 2004 of the present invention and **after** the June 16, 2003 filing date of KR 10-2003-0038892 and the September 18, 2003 filing date of KR 10-2003-0074737, from which the present invention now claims priority from perfecting these foreign priority dates (i.e., as shown in the WO 2004/112309). Therefore, the applicants respectfully submit that the present application is now in condition for allowance because Lee not a valid 102(e) prior art reference for the

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following 103 rejections and the claim amendments, as agreed by the examiner, overcome the 35 U.S.C. §112, ¶2, that is further discussed below. Thus, an Issuance of Notice of Allowance is respectfully requested.

In the final office action (page 2), claims 1, 3, 5, 9 and 11 stand rejected under 35 U.S.C. §112, ¶2 as being indefinite. As agreed by the examiner during the above telephonic interview, these proposed claim amendments faxed to the examiner on January 20, 2009, which also included amendments as suggested by the examiner during the examiner interview, have been amended to remove the basis for the 35 U.S.C. §112, ¶2 rejection. Therefore, the applicants respectfully request withdrawal of the 35 U.S.C. §112, ¶2 rejection of claims 1, 3, 5, 9, and 11.

In the final office action (page 3), claims 1-8 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Publication No. 2002/0131588 (Yang) in view of U.S. Publication No. 2005/0135607 (Lee). Also, in the final office action (page 14), claims 9 and 10 **[we believe the examiner meant claims 9-12]** stand rejected under 35 U.S.C. §103(a) as being obvious over Yang in view of U.S. Patent No. 6,230,257 (Roussel), and further in view of in view of Lee. The "et al." suffix is omitted in a reference name.

As to these 103 rejections, as noted above, the applicants respectfully note that Lee does not qualify as a prior art reference under 102(e), because Lee's December 1, 2004 U.S. filing date is **after** the June 6, 2004 PCT filing date of the present invention, wherein this PCT filing date is the U.S. domestic priority date of the present application.

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Further, the applicants have attached a certified translation of the two foreign priority documents, Korean Patent Appn. Nos. 10-2003-0038892 and 10-2003-0074737, along with a verification of translation to perfect the claimed foreign priority dates of June 16, 2003 filing date of KR 10-2003-0038892 and the September 18, 2003 filing date of KR 10-2003-0074737. Accordingly, for this additional reason, the applicants further note that Lee has a U.S. Publication date of June 23, 2005 and a filing date of December 1, 2004, wherein this December 1, 2004 filing date of Lee is also **after** both the June 16, 2003 filing date of KR 10-2003-0038892 and the September 18, 2003 filing date of KR 10-2003-0074737, from which the present **now** claims priority (as shown in the WO 2004/112309 for the present application). Therefore, an Issuance of Notice of Allowance is respectfully requested.

Accordingly, for the reasons set forth above, the applicants respectfully submit that claims 1-12, now pending in this application, are in condition for allowance over the cited references. This amendment is considered to be responsive to all points raised in the office action. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

When issuance of a Notice of Allowance is proper in the next action, the examiner is authorized to cancel the withdrawn claims, for which the applicant reserves the right to file a divisional application.

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Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,

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